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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,075	10/05/2001	Edward J. Boudris	6469	4549

22922 7590 04/06/2004

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EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/06/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary

Application No.

09/972,075

Applicant(s)

BOUDRIS ET AL.

Examiner

Haythim J. Alaubaidi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 19-40 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-18 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10 is/are rejected.
- 7) ☒ Claim(s) 7-9 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

A. Claims 1-18, are drawn to a method and system for processing and producing data files, classified in class 707, subclass 205.

B. Claims 19-40 are drawn to a method for version management, classified in class 707, subclass 203.

Inventions A - B are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention **A** has separate utility such as the processing and producing data files; and invention **B** has separate utility such as the version management. Each of the two inventions does not require the particulars of the other inventions.

During a telephone conversation with Mr. Andrew Pham on April 1, 2004 a provisional election was made without traverse to prosecute invention A, Claims 1-18.

Affirmation of this election must be made by the Applicant in replying to this office action. Claims 19-40 are withdrawn from further consideration by the examiner, according to 37 CFR 1. 142(b), as being drawn to a non-elected invention.

DETAILED ACTION

2. This communication is a first Office Action in response to Application No. 09/972075 filed on October 05, 2001.
3. Claims 1-40 are presented for examination, of which Claims 19-40 are withdrawn from further consideration, as being drawn to a non-elected invention following the telephone interview with the Applicants representative Mr. Andrew Pham.
4. Claims 1-6 and 10, are rejected under 35 U.S.C. 103(a).
5. Claims 7-9 and 11 are objected to as being dependent upon a rejected base claim.
6. Claims 12-18, are allowed over the prior art of record.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-6 and 10, are rejected under 35 U.S.C. 103(a) as being unpatentable over David L. Multer (U.S. Patent No. 6,671,757 and Multer hereinafter) in view of Mark B. Clifton (U.S. Patent No. 5,331,591 and Clifton hereinafter).

Regarding Claims 1, 5-6 and 10, Multer discloses:

a record transitioning routine for determining when one record is a previous record version (Col 34, Lines 22-34, i.e. previous versions; see also Col 35, Lines 61-65, i.e. the storage server will be checked to determine whether a new version of the data exists on the storage server at step 1430) and for transitioning the previous record version into a current record version (Col 35, Line 66 through Col 36, Line 4; see also Col 38, Lines 29-30)

an application processor for processing application input file (Col 4, Lines 6-11).

Multer discloses all of the claimed subject matter above, except the reference does not explicitly indicate the input vertical processor. However the vertical processor technology is used widely in the field of data and application processing; combining it with the limitations of claim 1, would not bring the claim to the level of patentability. The Examiner is incorporating a second reference that teaches vertical processing technology in order to establish a case of obviousness. Clifton teaches vertical stack processor (figure 1, and corresponding text).

Given the intended broad application of the Multer system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Multer with the teachings of Clifton to use a vertical stack processor; one good reason for using such a processor is to save surface space on the device containing the processor (Col 1, Line 67 through Col 2, Line 1).

Regarding Claim 2, the limitations of this claim is similar in scope to the rejected claim 1, above. In edition Multer discloses formatting a field (Col 23, Lines 59-65).

Regarding Claim 3, Multer discloses validating a record (Col 35, Lines 29-32; see also Col 22, Lines 42-47).

Regarding Claim 4, Multer discloses a structure editing routine (Col 17, Lines 61-63, i.e. add, delete and modify).

Allowable Subject Matter

9. Claims 7-9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 12-18, are allowed over the prior art of record.

11. The following is the Examiner's statement of reasons for the indication of allowable subject matter:

Regarding Claims 7-8 and 11, Applicant's particular system for processing a fixed length data record with a plurality of versions is the combinations of an output vertical stack processor responsive to said application processor for producing a

Art Unit: 2171

destination file including a plurality of records wherein each record includes at least current record versions for each record of said data file, and for writing the current record version of each record to the destination file; in combination with the limitations of wherein said output vertical stack processor supplements data contained in at least one record of said plurality of records with data for at least one previous version of said one record prior to writing said one record to said destination file in combination with the other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record or that encountered in searching of the prior art.

The dependent Claim 9, being further limiting to dependent Claim 8 definite and enabled by the Specification would also be allowed if their respective dependent Claims 7 and 8 were rewritten into independent Claim 1, including all of the limitations of the base claim and any intervening claims.

Regarding Claim 12, Applicant's particular method for processing a fixed length data record with a plurality of versions is moving said one input record to a first work area of a memory, the first work area defining data fields for said one input record; initializing a second work area of the memory with default values for the current version of said one input record, with the default values contained in data fields of the current version of said one input record; and moving data contained in the data fields of said one input record in said first memory work area to corresponding data fields of the current version of said one input record in said second memory work area, whereby

Art Unit: 2171

said second memory work area contains said one input record transitioned to the current version of said record in combination with the other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record or that encountered in searching of the prior art.

The dependent Claims 13-18 being further limiting to independent Claim 12; definite and enabled by the Specification are also allowed.

Other Prior Art Made of Record

12. a. Reiter (U.S. Patent No. 5,974,427) discloses a method and computer system for implementing concurrent accesses of a database record by multiple users; and
- b. Huget al. (U.S. Patent No. 5,806,078) discloses a version management system.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Points of Contact

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (703) 305-1950. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at our fax number (703) 872-9306.

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Haythim J. Alaubaidi

Patent Examiner
Technology Center 2100
April 2, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100